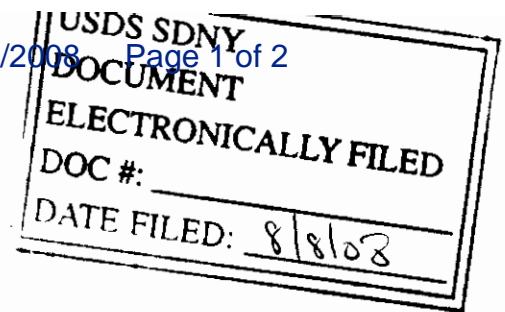


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



DARREN EDWARDS,

Petitioner,

-v-

THE PEOPLE OF THE STATE OF NEW YORK,

Respondent.

No. 08 Civ. 0112 (RJS)

ORDER

RICHARD J. SULLIVAN, District Judge:

By letter dated August 6, 2008, respondent requests an extension of time to respond to petitioner's application for habeas relief on the ground that respondent has not yet received the "trial transcripts" from the underlying state court proceeding. (Resp.'s Aug. 6 Ltr. at 1.) Respondent also indicates that it has been unable to contact petitioner at the address petitioner previously provided to the Court, and that it has been unable to determine petitioner's location since he was released from prison on August 28, 2007.

IT IS HEREBY ORDERED that respondent's motion for an extension of time is GRANTED. The time for respondent to submit its opposition to the instant petition is adjourned from August 8, 2008 to August 18, 2008.

IT IS FURTHER ORDERED that respondent shall serve a copy of this Order on petitioner at the last address provided to this Court, as well as any other address at which respondent believes petitioner is likely to be found. Respondent shall electronically file proof of such service with the Court.

Finally, based on respondent's representations regarding its inability to locate petitioner at the address he previously provided to the Court, it appears that petitioner is no longer residing at that address. It is petitioner's duty to update the Court as to changes in his address. *See, e.g., Hibbert v. Apfel*, No. 99 Civ. 4246 (SAS), 2000 WL 977683, at *2 (S.D.N.Y. July 17, 2000). In light of petitioner's apparent failure to do so, IT IS HEREBY ORDERED that, by September 8, 2008, petitioner shall submit a letter to the Court regarding (1) his current address, and (2) his intention to continue to prosecute this action.

Petitioner is advised that his failure to submit this letter, or to comply with other orders of this Court, may warrant dismissal of this action pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

SO ORDERED.

Dated: August 8, 2008
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE